

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION
EMERALD ASH BORER INTERIOR QUARANTINE**
(Revised December 27, 2004)

WHEREAS, the Director, Michigan Department of Agriculture, having found that an exotic pest, known as the emerald ash borer, *Agrilus planipennis* (Fairemaire), has been detected in this state and has a limited distribution at this time; and

WHEREAS, the emerald ash borer has been found infesting and killing ash, *Fraxinus* spp., trees in certain counties, cities, and townships; and

WHEREAS, ash trees are a valuable resource for the nursery, landscaping, and timber industries in Michigan; and

WHEREAS, ash trees represent a significant component of the natural environment in Michigan; and

NOW, THEREFORE, the Director of the Michigan Department of Agriculture by the authority of Act No. 72 of the Public Acts of 1945, as amended, and Quarantine Regulation No. 620, does promulgate this quarantine to prevent the further spread of this pest and sets forth: definitions, regulated articles, regulated areas, conditions of movement, violations and penalties, and special exemptions. This revised quarantine shall become effective immediately and will remain in effect until rescinded by the Director.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **DIRECTOR** means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (B) **INSPECTOR** means an employee of the Department of Agriculture authorized to enforce the provisions of this quarantine.
- (C) **INFESTATION** means the presence of the emerald ash borer or the existence of the circumstances that make it reasonable to believe that the emerald ash borer is present.
- (D) **CERTIFICATE** and **CERTIFICATE OF INSPECTION** mean a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates, and multiple-use quarantine certificates to allow the movement of regulated articles to any destination.
- (E) **COMPLIANCE AGREEMENT** means a written agreement between a person moving regulated articles and the Department of Agriculture wherein the former agrees to comply with the requirements of the agreement.
- (F) **PERSON** means an individual, society, association, partnership, corporation, or other organized entities.
- (G) **MOVED (MOVE, MOVEMENT)** means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

II. REGULATED ARTICLES.

- (A) The emerald ash borer, *Agrilus planipennis* (Fairemaire), in any living stage of development.
- (B) Entire ash (*Fraxinus* spp.) trees.
- (C) Ash limbs and branches.
- (D) Ash logs or untreated ash lumber with bark attached.
- (E) Uncomposted ash chips and uncomposted ash bark chips larger than 1 inch in diameter in two dimensions.
- (F) Any article, product or means of conveyance when it is determined by the Director to present the risk of spread of the emerald ash borer, *Agrilus planipennis* (Fairemaire).
- (G) Cut firewood of any deciduous species originating from regulated areas.

III. REGULATED AREAS.

The counties and portions of counties as listed below are designated as regulated areas, based on the confirmed presence of emerald ash borer, *Agrilus planipennis* (Fairemaire). In addition, the Director may designate as regulated any area where the presence of the emerald ash borer, *Agrilus planipennis* (Fairemaire), is confirmed in the future. Information on additional regulated areas not listed within this quarantine will be provided on the Michigan Department of Agriculture website located at www.michigan.gov/mda. Thereafter, the movement of any regulated article from an area designated as regulated will be subject to this quarantine. As soon as practicable, this area will be added to the list of regulated areas within this quarantine and the Director will post an update to the quarantine on the Michigan Department of Agriculture website provided above. A current printed listing will also be available upon request at all Michigan Department of Agriculture Regional offices and through the Michigan Department of Agriculture Pesticide and Plant Pest Management Division Lansing Office P.O. Box 30017 Lansing, Michigan 48909, (517) 373-1087.

Alcona County / Iosco County

Quarantine Boundary – Cedar Lake / Van Etten Lake area

That area in Greenbush Twp. in Alcona Co. and in Oscoda Twp. in Iosco Co. that is bounded as follows: Beginning at the intersection of Poor Farm and Kings Corner Rds.; then north along Poor Farm Rd. to Wissmiller Rd.; then east along Wissmiller Rd. to Cedar Lake Rd.; then north on Cedar Lake Rd. to Smith Rd.; then east on Smith Rd. to US-23; then continuing due east along an imaginary line to Lake Huron; then south along the shoreline of Lake Huron to a point on the shoreline due east of the intersection of Interlake Dr. and Ridge Rd.; then due west along an imaginary line to Interlake Dr.; then continuing west on Interlake Dr. to Loud Dr.; then northwest on Loud Dr. to Love Rd.; then north on Love Rd. to the point of beginning.

Antrim County / Grand Traverse County / Kalkaska County

Quarantine Boundary – Lake Skegemog / Torch Lake area

That area in Milton Twp. in Antrim Co., Clearwater Twp. in Kalkaska Co., and Whitewater Twp. in Grand Traverse Co. that is bounded as follows: Beginning at the corner of Elk Lake Rd. and M-72; then east on M-72 to McNulty Hill Rd. NW; then east on McNulty Hill Rd. NW to Rapid City Rd. NW; then continuing east on Hill Rd. NW to Way Rd. NW; then north and northwest on Way Rd. NW to Gillett Rd. NW; then north on Gillett Rd. NW to Valley Rd. NW; then east on Valley Rd. NW to Kellogg Rd. NW; then north on Kellogg Rd. NW to Plum Valley Rd. NW; then west on Plum Valley Rd. NW to Manley Rd. NW; then north on Manley Rd. NW to the boundary between Antrim and Kalkaska Cos; then west along the boundary between Antrim and Kalkaska

Cos. to the boundary of Clearwater, Milton, and Helena Twps.; then northeast along the boundary of Milton and Helena Twps. to a point due east of Ringler Rd.; then west along an imaginary line to Ringler Rd.; then continuing west on Ringler Rd. to where it ends; then continuing due west along an imaginary line to the boundary between Milton and Elk Rapids Twps.; then south along the boundary between Milton and Elk Rapids Twps. to the boundary between Grand Traverse and Antrim Cos.; then west along the boundary between Grand Traverse and Antrim Cos. to Elk Lake Rd.; then south on Elk Lake Rd. to the point of beginning.

Barry County / Ionia County

Quarantine Boundary – Lake Odessa area

That area in Carlton and Woodland Twps. in Barry Co. and in Campbell and Odessa Twps. in Ionia Co. that is bounded as follows: Beginning at the intersection of Thompson and Bell Rds.; then south on Bell Rd. to Vedder Rd.; then continuing south on Messer Rd. to Brown Rd.; then east on Brown Rd. to Usborne Rd.; then south on Usborne Rd. to Jordon Rd.; then east on Jordon Rd. to Martin Rd.; then north on Martin Rd. to Vedder Rd.; then continuing north on Bliss Rd. to Musgrove Hwy.; then west on Musgrove Hwy. to Jackson Rd.; then north on Jackson Rd. to Campbell Rd.; then west on Campbell Rd. to Nash Hwy.; then south on Nash Hwy. to Thompson Rd.; then west on Thompson Rd. to the point of beginning.

Berrien County

Quarantine Boundary - St. Joseph area

That area in St. Joseph Twp., the city of St. Joseph, the Village of Shoreham and Benton Twp. in Berrien Co. that is bounded as follows: Beginning at the intersection of Interstate 94 and Maiden Lane; then west along Maiden Lane to where it intersects Red Arrow Highway; then continuing west along an imaginary line to Lake Michigan, passing at the south edge of properties known as Sunset Shores, Woodgate by the Lake, The Shores North and Shoreham Condominiums; then northeasterly along the Lake Michigan shoreline to the mouth of the St. Joseph River; then easterly along the southern shoreline of the St. Joseph River and continuing southeasterly along the west channel shoreline to a point opposite of West May St.; then east along an imaginary line across the St. Joseph River to West May St.; then east along West May St. to Windsor Rd.; then south and east along Windsor Rd. to the intersection of Colfax Ave.; then south along Colfax and continuing south along an imaginary line to Interstate 94 near Hollywood Rd.; then southwesterly along Interstate 94 to the point of beginning.

Branch County – the entirety

Calhoun County – the entirety

Cheboygan County / Presque Isle County

Quarantine Boundary – Forest Twp. area

That area in Forest Twp. in Cheboygan Co. and Allis Twp. in Presque Isle Co. that is bounded as follows: Beginning at the intersection of Walters Rd. and Center Line Rd.; then south on Center Line Rd. to Clute Rd.; then east on Clute Rd. to Martins Grove; then south on Martins Grove to Schommer Rd.; then south on Schommer Rd. to where it ends; then due south on an imaginary line to Post Rd.; then east on Post Rd. to Black River Rd.; then east on Black River Rd. to Canada Creek Rd.; then east on Canada Creek Rd. to Highway 634; then north and east on Highway 634 to M-33; then northwest and north on M-33 to 4 Mile Hwy.; then west on 4 Mile Hwy. to the boundary between Cheboygan Co. and Presque Isle Co.; then continuing due west on an imaginary line to Walters Rd.; then west on Walters Rd. to the point of beginning.

Clinton County – the entirety

Eaton County – the entirety

Emmet County

Quarantine Boundary – Petoskey area

That area in Bear Creek Twp. and the City of Petoskey in Emmet Co. that is bounded as follows: Beginning at the intersection of Pickerel Lake Rd. and Fletcher Rd.; then south on

Fletcher Rd. to Atkins Rd.; then east and south on Atkins Rd. to Greenwood Rd.; then south and east on Greenwood Rd. to Russett Rd.; then south on Russett Rd. to King Rd.; then west and southwest on King Rd. to Evergreen Trl.; then northwest and west on Evergreen Trl. to River Rd.; then south on River Rd. to Gruler Rd.; then west on Gruler Rd. to US-131; then north on US-131 to Sheridan St.; then west on Sheridan St. to Eppler Rd.; then north on Eppler Rd. to Charlevoix Ave.; then continuing north on an imaginary line to the Shore of Little Traverse Bay; then northeast and north along the shore of Little Traverse Bay to the boundary between Bear Creek and Little Traverse Twps.; then east along the boundary between Bear Creek and Little Traverse Twps. to US-31; then southwest on US-31 to Graham Rd.; then east on Graham Rd. to Bellmer Rd.; then south on Bellmer Rd. to Pickerel Lake Rd.; then west on Pickerel Lake Rd. to the point of beginning.

Genessee County – the entirety

Grand Traverse County – see Antrim Co.

Gratiot County – the entirety

Hillsdale County – the entirety

Ingham County – the entirety

Ionia County – see Barry Co.

Iosco County – see Alcona Co.

Jackson County – the entirety

Kalkaska County – see Antrim Co.

Kent County

Quarantine Boundary – Kentwood / Wyoming / Grand Rapids area

That area in the Cities of Kentwood, Grand Rapids, and Wyoming, and in Byron and Gaines Twps. in Kent Co. that is bounded as follows: Beginning at the intersection of 36th St. SW and Byron Center Ave. SW; then east along 36th St. SW to 36th St. SE; then east along 36th St. SE to Kalamazoo Ave. SE; then south on Kalamazoo Ave. SE to 68th St. SE; then west on 68th St. SE to 68th St. SW; then west on 68th St. SW to Burlingame Ave. SW; then south on Burlingame Ave. SW to 72nd St. SW; then west on 72nd St. SW to Byron Center Ave. SW; then north on Byron Center Ave. SW to the point of beginning.

Lapeer County – the entirety

Lenawee County – the entirety

Livingston County – the entirety

Macomb County – the entirety

Manistee County

Quarantine Boundary – Tippy Dam area

That area in Dickson Twp. in Manistee Co. that is bounded as follows: Beginning at the corner of Dickson, Maple Grove, and Marilla Twps.; then west along the boundary of Maple Grove and Dickson Twps. to Clements Rd.; then south on Clements Rd. to Fife Springs Rd.; then east on Fife Springs Rd. to Dilling Rd.; then south and southeast on Dilling Rd. to River Rd.; then east and northeast on River Rd. to the boundary between Dickson and Marilla Twps.; then west along the boundary between Dickson and Marilla Twps. to the point of beginning.

Midland County

Quarantine Boundary – Coleman area

That area in Warren and Geneva Twps. in Midland Co. that is bounded as follows: Beginning at the intersection of Shearer and E. County Line Rds.; then south on E. County Line Rd. to where it ends; then continuing south along the boundary between Midland and Isabella Cos. to Ruhle Rd.; then east on Ruhle Rd. to Coleman Rd.; then south on Coleman Rd. to McNally Rd.; then east on McNally Rd. to Castor Rd.; then north on Castor to Grant St.; then northwest on Grant St. to Barden Rd.; then northeast on Barden Rd. to Saginaw Rd.; then southeast on Saginaw Rd. to M-18; then north on M-18 to Shearer Rd.; then west on Shearer Rd. to the point of beginning.

Monroe County – the entirety
Oakland County – the entirety

Oceana County

Quarantine Boundary – Pentwater Twp. in its entirety, including the Village of Pentwater

Oscoda County

Quarantine Boundary – McKinley area

That area in Comins and Mentor Twps. that is bounded as follows. Beginning at the intersection of Reber Rd. and Abbe Rd.; then east on Reber Rd. to Pearsall Rd.; then south and east on Pearsall Rd. to Barakel Trl.; then east on Barakel Trl. to Shear Lake Rd.; then south on Shear Lake Rd. to Miller Rd.; then continuing due south on an imaginary line to Old State Rd.; then west on Old State Rd. to McKinley Rd.; then continuing west on McKinley Rd. to Abbe Rd.; then north on Abbe Rd. to the point of beginning.

Presque Isle County

Quarantine Boundary – Ocqueoc Lake area

That area in Ocqueoc, North Allis, and Bearinger Twps. that is bounded as follows: Beginning at the intersection of Town Hall Hwy. and Thorne Rd.; then east on Town Hall Hwy. to Balch Rd.; then north on Balch Rd. to Beach Hwy.; then east on Beach Hwy. to US-23; then southeast on US-23 to Acorn Ridge Hwy.; then west on Acorn Ridge Hwy. to Brege Rd.; then south on Brege Rd. to where it ends; then continuing due south on an imaginary line to where Brege Rd. begins again; then continuing south on Brege Rd. to Pomranke Hwy.; then west on Pomranke Hwy. to Dittmar Rd.; then continuing due west on an imaginary line to Roost Rd.; then north on Roost Rd. to where it ends; then continuing due north on an imaginary line to Shells Hwy.; then west on Shells Hwy. to Thorne Rd.; then north on Thorne Rd. to the point of beginning.

Quarantine Boundary – see Cheboygan Co.

Roscommon County

Quarantine Boundary - St. Helen area

That area in Richfield Twp. in Roscommon Co. that is bounded as follows: Beginning at the intersection of Marl Lake Rd. and North St. Helen Rd.; then south to the intersection of School Rd.; then easterly along School Rd. to Meridian Rd.; then south on Meridian Rd. to Carter Lake Rd.; then west on Carter Lake Rd. to M-76; then south on M-76 to Interstate 75; then west along Interstate 75 to where it intersects Maple Valley Rd.; then north along Maple Valley Rd. to the shore of Lake St. Helen; then continuing north along an imaginary line across the lake to a point on the shoreline; then east along the south boundary of Section 18 to where it intersects Moore Rd.; then northerly along Moore Rd. to Marl Lake Rd.; then east on Marl Lake Rd. to the point of beginning.

Saginaw County – the entirety

Saint Clair County – the entirety

Saint Joseph County

Quarantine Boundary – Nottawa / Colon area

That area in Nottawa and Colon Twps. in St. Joseph Co. that is bounded as follows: Beginning at the intersection of Prairie Corners and Bucknell Rds.; then south on Bucknell Rd. to M-86; then east on M-86 to M-66; then continuing east on Bonham Rd. to Lepley Rd.; then north on Lepley Rd. to Spring Creek Rd.; then east on Spring Creek Rd. to Hodges Rd.; then north on Hodges Rd. to Colon Rd.; then west on Colon Rd. to M-66; then north on M-66 to Prairie Corners Rd.; then west on Prairie Corners Rd. to the point of beginning.

Sanilac County

Quarantine Boundary – Brown City area

That area in Flynn and Maple Valley Twps. and Brown City that is bounded as follows: Beginning at the intersection of Montgomery and Cade Rds.; then south on Cade Rd. to Wilcox Rd.; then east on Wilcox Rd. to Shephard Rd.; the north on Shepard Rd. to Montgomery Rd.; then west on Montgomery Rd. to the point of beginning.

Quarantine Boundary – Sanilac Twp. area

That area in Sanilac and Lexington Twps. in Sanilac Co. that is bounded as follows: Beginning at the intersection of Walker and Ridge Rds.; then south on Ridge Rd. to Townsend Rd.; then west on Townsend Rd. to Wildcat Rd.; then south on Wildcat Rd. to Aitken Rd.; then east on Aitken Rd. to where it ends; then continuing east along an imaginary line to the shore of Lake Huron; then north along the shore of Lake Huron to the point on the shore due west of the end of Walker Rd.; then west along an imaginary line to Walker Rd.; then continuing west along Walker Rd. to the point of beginning.

Shiawassee County – the entirety

Washtenaw County – the entirety

Wayne County – the entirety

IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

(A) Movement of the regulated articles from any regulated area to any destination outside the regulated area is prohibited, except under the following conditions:

1. A thorough examination of all regulated articles and treatment methods must take place. A certificate of inspection may be issued based upon the determination by the inspector, grower, or shipper authorized to conduct such inspection under a Compliance Agreement, that no life stages of emerald ash borer *Agrilus planipennis* (Fairemaire) are present; based on conditions or treatments administered in accordance with methods approved by the Director.

2. The certificate of inspection shall be attached to the regulated articles, and shall remain on the regulated articles until such articles reach their final destination, except when the certificate of inspection is attached to the shipping document and the regulated article is adequately described on the shipping document or on the certificate of inspection.

3. A regulated article may move outside of the regulated area to a facility under compliance agreement approved by the director from September 1 to May 1 for processing, utilization, and/or disposal.

(B) All regulated articles originating outside the regulated area may move through the regulated area without a certificate of inspection for this pest, under the following conditions:

1. Passage through the regulated area is made during the period of September 1 through April 30 or when the ambient air temperature is below 40 degrees F. and passage is made without stopping except to refuel or for traffic conditions; or during the period of May 1 through August 31 when the temperature is 40 degrees F. or higher if the articles are shipped in an enclosed vehicle or is completely enclosed by a covering adequate to prevent access by the emerald ash borer, *Agrilus planipennis* (Fairemaire).

2. The point of origin of the regulated article must be indicated on the bill of lading or shipping documents.

- (C) Regulated articles originating outside any regulated area which are moved into the regulated area and exposed to potential infestation by emerald ash borer, *Agrilus planipennis* (Fairemaire), shall be considered to have originated from a regulated area. These regulated articles may only be moved from the regulated area under the conditions noted in IV (A) above.
- (D) Movement of regulated articles from any regulated area through any non-regulated area to a regulated destination is prohibited without a certificate of inspection for this pest, except under the following conditions:
1. Passage through a non-regulated area is made during the period of Sept. 1 through April 30 and the passage is made without stopping except for refueling or for traffic conditions; or during the period of May 1 through August 31 if the articles are shipped in an enclosed vehicle or completely enclosed by a covering adequate to prevent the escape of any emerald ash borer, *Agrilus planipennis* (Fairemaire).
 2. The county and state of origin and the final destination of the regulated articles must be indicated on the bill of lading or shipping documents.
- (E) The bill of lading or shipping documents accompanying any shipment of regulated articles within or through Michigan shall indicate the county and state of origin of the regulated articles.
- (F) The sale and movement of all ash nursery stock within, out of or into Michigan's Lower Peninsula is prohibited. This area consists of those 68 contiguous Michigan counties lying between the Michigan-Indiana/Ohio state line to the south and the northernmost point of Emmett County to the north.

V. VIOLATIONS AND PENALTIES.

- (A) Any regulated article from the quarantined area, moved within Michigan in violation of this quarantine shall be removed from the non-regulated area immediately or destroyed at the expense of the owner or owners, under the direction of the Director.
- (B) Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

VI. SPECIAL EXEMPTIONS.

- (A) The Director may allow, with written approval, the movement of emerald ash borer, *Agrilus planipennis* (Fairemaire), into or within Michigan for research purposes.
- (B) Uncomposted ash chips and uncomposted ash bark chips 1 inch and smaller in diameter are not considered to be regulated articles under this quarantine and therefore are exempt from the conditions of movement prescribed.



Dan Wyant, Director

December 27, 2004

Date